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Written statement* submitted by the Defence for Children International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Israel's armed forces and grave violations of children's rights

For children living in the Gaza Strip, 2014 was a year that brought violence, fear, and loss. The Israeli military offensive that lasted 50 days between July 8 and August 26, dubbed *Operation Protective Edge*, killed 547 Palestinian children, 535 of them as a direct result of Israeli attacks.[1] Another 3,374 children suffered injuries in attacks, including over 1,000 children whose wounds rendered them permanently disabled.[2]

Investigations undertaken by Defense for Children International Palestine (DCIP) into Palestinian child fatalities during *Operation Protective Edge* found overwhelming and repeated evidence of international humanitarian law violations committed by Israeli forces. These included direct attacks on children, and indiscriminate and disproportionate attacks on civilian homes, schools, and residential neighborhoods.

Evidence and testimonies collected by DCIP's Gaza-based monitoring and documentation team showed that places that should have provided children with shelter and safety were not immune from attacks by Israeli forces. Missiles fired from Israeli drones and warplanes, artillery shelling, and shrapnel scattered by explosions killed children in their homes, on the street as they fled from attacks with their families, and as they sought shelter from the bombardment in schools.

Israel, the world's largest exporter of aerial drones, killed at least 164 children in drone attacks during its assault on Gaza.[3] In a number of incidents, evidence suggests that Israeli forces directly targeted children. In one such case, Rawya Joudeh, 40, and four of her five children were killed by an Israeli drone-fired missile as they played together in the family's yard in Tal al-Zatar, Jabalia refugee camp, North Gaza, on the afternoon of August 24. The children were aged between 6 and 14.

Just under half of the children who died during the offensive lost their lives in aerial attacks on residential buildings. Missiles dropped by Israeli warplanes killed 225 children while they were in their own homes or seeking shelter, often as they sat down to eat with their families, played, or slept.

No day more clearly demonstrates the indiscriminate and extreme violence that characterized the offensive than Sunday, July 20, which proved to be the deadliest day for children throughout the Israeli onslaught. A nighttime and ground assault on the residential Shuja'iyya neighborhood of Gaza City killed 27 children and injured at least 29 others.

On the same day in Khan Younis, in the southern Gaza Strip, 18 children from the Abu Jami family were killed when an Israeli warplane destroyed their home as they sat down for dinner. In total, 59 children across the Gaza Strip lost their lives on July 20.

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[1] DCIP, Operation Protective Edge: A War Waged on Gaza's Children (2015), http://www.dci-palestine.org/operation_protective_edge_a_war_waged_on_gaza_s_children.

[2] UN Office for the Coordination of Humanitarian Affairs Occupied Palestinian Territory (UN OCHA-OPT), *Situation Report*, Sep. 4, 2014, http://www.ochaopt.org/documents/ocha_opt_sitrep_04_09_2014.pdf; and UN OCHA-OPT, *Situation Report*, Aug. 8, 2014, http://www.ochaopt.org/documents/ocha_opt_sitrep_28_08_2014.pdf.

[3] DCIP, Operation Protective Edge: A War Waged on Gaza's Children (2015), http://www.dci-palestine.org/operation_protective_edge_a_war_waged_on_gaza_s_children; and Rania Khalek, *Sixty Percent of Global Drone Exports Come From Israel — New Data*, Electronic Intifada, Mar. 24, 2015, http://electronicintifada.net/blogs/rania-khalek/sixty-percent-global-drone-exports-come-israel-new-data.

Incidents such as these are not unprecedented. *Operation Protective Edge* was the sixth Israeli military offensive on Gaza in the past eight years, and raised the number of children killed in assaults on Gaza to 1,097 since 2006. Between December 2008 and January 2009 Israeli forces killed at least 353 children, as well as a further 33 children in November 2012.

Palestinian children have often paid the highest price in Israel's repeated military offensives, while also suffering from a man-made humanitarian crisis created by Israel's eight-year long blockade of Gaza. This has hindered any meaningful efforts toward implementing comprehensive protections for children living in the Gaza Strip. In a context where systemic impunity is the status quo, the need for justice and accountability is urgent.

In the West Bank, including East Jerusalem, the situation for children was deteriorating prior to *Operation Protective Edge*. Child fatalities and injuries significantly increased in 2014, mostly because Israeli forces used live ammunition against children. Israeli forces killed 11 Palestinian children with live ammunition in the occupied West Bank during 2014.[4] Only one incident resulted in both an investigation and an indictment as Israeli prosecutors brought manslaughter charges against the border police officer allegedly responsible for the death of Nadeem Nawara on May 15.[5] During the first three months of 2015, at least 30 children across the West Bank, including East Jerusalem, sustained gunshot wounds when Israeli forces used live ammunition to quash protests.[6]

While Israeli authorities have selectively opened their own investigations into several incidents occurring during the latest military offensive, previous experience has shown that Israeli authorities persistently fail to investigate alleged violations of its armed forces in accordance with international standards.

The Commission of Inquiry on the Gaza Conflict was established by the Human Rights Council to investigate all violations of international humanitarian law and international human rights law in the Occupied Palestinian Territory. The Commission was charged with establishing "facts and circumstances of such violations and of the crimes perpetrated and to identify those responsible, to make recommendations, in particular on accountability measures, all with a view to avoiding and ending impunity and ensuring that those responsible are held accountable."[7]

To the extent that the Commission finds evidence of violations of international humanitarian law and international human rights law, serious and effective follow-up mechanisms must be endorsed by all members of the Human Rights Council in an effort to challenge and end impunity for violations.

In order to end impunity for perpetrators and advance the goal of protecting children during armed conflict, Defence for Children International urges all members of the Human Rights Council to:

- Demand that Israel end its prolonged military occupation of Palestinians living in the Occupied Palestinian Territory, and its eight-year siege on the Gaza Strip, a form of collective punishment prohibited under international law;

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[4] DCIP, *The Israeli military's pattern of lethal force against Palestinian children*, Jan. 28, 2015, http://www.dci-palestine.org/the_israeli_military_s_pattern_of_lethal_force_against_palestinian_children.

[5] DCIP, *New Forensic Architecture evidence identifies Nadeem Nawara's killer*, Nov. 20, 2014, http://www.dci-palestine.org/new_forensic_architecture_evidence_identifies_nadeem_nawara_s_killer.

[6] DCIP, *Israeli forces target children with live ammunition to quash protests*, Mar. 23, 2015, http://www.dci-palestine.org/israeli_forces_target_children_with_live_ammunition_to_quash_protests.

[7] H.R.C. Res. S-21/1, ¶ 13, U.N. Doc. A/HRC/RES/S-21/1 (Jul. 24, 2014), http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/092/50/PDF/G1409250.pdf.

- Support resolutions that affirm any findings by the Commission of Inquiry on the 2014 Gaza Conflict involving violations of international humanitarian and international human rights law;

- Support recommendations regarding follow-up accountability measures made by the Commission of Inquiry on the 2014 Gaza Conflict concerning findings involving violations of international humanitarian law or international human rights law, including any requests to the Security Council for referral of specific cases to the International Criminal Court; and

- Call on the Secretary-General to include Israel's armed forces in the annex of his 14th Annual Report on Children and Armed Conflict for committing grave violations against children during armed conflict, specifically killing and maiming and attacks against schools.